



**MEDIA: PLEASE CONTACT THE MEETING FACILITY DIRECTLY TO MAKE THE NECESSARY ARRANGEMENTS FOR ANY EQUIPMENT THAT YOU MAY NEED.**

## **MEETING ANNOUNCEMENT**

**DATE: JANUARY 9, 2014**  
**TIME: 8:30 AM**  
**LOCATION: BALLROOM**  
**ISLE CASINO HOTEL WATERLOO**  
**777 ISLE OF CAPRI BOULEVARD**  
**WATERLOO, IA 50701**  
**PHONE: 319/833-4753**

## **PROPOSED AGENDA**

- 1. WELCOME** – Bari Richter, General Manager; Tim Hurley, President – Black Hawk Gaming Association
- 2. APPROVE AGENDA**
- 3. APPROVE MINUTES** – From November 21, 2013
- 4. ANNOUNCEMENTS**
  - A. February, 2014 – No Meeting
  - B. March 5-6, 2014 – Prairie Meadows Racetrack & Casino, Altoona, IA (Submissions due by February 20, 2014)
  - C. April 3, 2014 – Doubletree by Hilton Cedar Rapids Convention Complex, Cedar Rapids, IA – Site Visit, Public Comment, Question & Answer
  - D. April 17, 2014 – Ameristar, Council Bluffs, IA (Submissions due by April 3, 2014)
- 5. RULES** – Notice of Intended Action (See Attached)

## **6. DISCUSSION OF GREENE COUNTY TIMELINE**

### **7. SCOTT COUNTY CASINO, LLC**

- A. Request for Approval of Asset Purchase of IOC Davenport, Inc.
- B. Contracts
  - 1. Marsh USA Inc. – Property and Liability Insurance and Bond Premiums
  - 2. Konami Gaming, Inc. – Purchase of Slot Accounting & Player Management System, including Support
  - 3. Vital Support Systems – Computer Network Upgrades

### **8. CAESAR’S ENTERTAINMENT – Request for Shelf Approval of Financing**

### **9. CEDAR RAPIDS DEVELOPMENT GROUP, LLC – Presentation of Proposed Project**

### **10. CONTRACT APPROVALS**

**(RP = RELATED PARTY)**

- A. Diamond Jo
  - 1. The Dimensional Group – Direct Mail Print
  - 2. United Healthcare of the Midlands – Dental Insurance Premiums
- B. Diamond Jo Worth – Bally Gaming – Slot Machines, Parts and Repairs
- C. Catfish Bend Casinos – The Printer, Inc. – Marketing/Printing Services
- D. Sioux City Entertainment – License Agreement for Hard Rock Hotel & Casino Sioux City between SCE Partners, LLC and HRHH IP, LLC
- E. Harrah’s – Sonifi Solutions – Provide Movies and Short Feature Programming for Hotel Rooms on a Pay-per-View Basis
- F. Horseshoe Casino/Bluffs Run
  - 1. Trane Co. – HVAC Equipment
  - 2. Carney and Applebee – Legal Assistance
- G. Mystique Casino
  - 1. International Union of Operating Engineers – Labor Agreement-Maintenance Agreement
  - 2. Sportech Racing, LLC – Wagering Terminals & Totalizator System

### **11. PRAIRIE MEADOWS RACETRACK & CASINO**

- A. Request for Season Approvals for Thoroughbred and Quarter Horse Meet
- B. Additional Contracts
  - 1. C&T Design – Food Service Equipment & Design Services
  - 2. Frank W. Berlin and Associates – Insurance Broker, Various Coverages
  - 3. Frank W. Berlin and Associates – Insurance Broker, Various Coverages
  - 4. Interface – Specialty Carpet for Casino

5. Shive-Hattery, Inc. – Engineering Services

**12. HEARINGS** – Appeal of Administrative Law Judge Decision: Raymond Gonzalez and Jorge Gonzalez

\*Executive Session – The Commission may go into Executive Session pursuant to Iowa Code Section 21.5(1)f for the purpose of discussing the decision to be rendered in a contested case conducted according to the provisions of chapter 17A.

**13. PUBLIC COMMENT**

**14. ADMINISTRATIVE BUSINESS**

**15. ADJOURN**

**MEETING ANNOUNCEMENT**

The Iowa Racing and Gaming Commission and staff will be meeting for dinner on Wednesday, January 8, 2014 at 6:00 PM at Otis & Henry's Bar and Grill located on property at Isle Casino Hotel Waterloo. Racing and gaming matters may be discussed, but no official action will be taken.

**PUBLIC PARTICIPATION**

Persons wishing to make a statement at a commission meeting may sign a sheet at the entrance to the meeting room and will appear during the agenda item titled "Public Comment". This segment is intended for an individual to make a brief statement to the Commissioners supported by fact, on current issues, which are within the jurisdiction of the Iowa Racing & Gaming Commission. It is not intended to be a debatable item, which is addressed below in Number 2.

Anyone who wishes to appear and/or distribute material should submit a written request to the Commission office not later than ten business days before the scheduled meeting in accordance with rule 491-1.2(3). Information or material submitted must be in completed form. This policy is intended to provide the Commissioners and staff adequate time to study the submitted material and appropriately prepare for presentations.

**RACING AND GAMING COMMISSION [491]**

**Notice of Intended Action**

Pursuant to the authority of Iowa Code sections 99D.7 and 99F.4, the Racing and Gaming

Commission hereby proposes to amend Chapter 4, “Contested Cases and Other Proceedings”, “Chapter 5, “Track and Excursion Boat Licensees’ Responsibilities” Chapter 10, “Thoroughbred and Quarter Horse Racing,” and Chapter 11, “Gambling Games,” Iowa Administrative Code.

Item 1 allows the Commission to suspend a license up to five years.

Item 2 and 3 clarify when debt arrangements need to be submitted for approval.

Item 4 clarifies allowable jockey agent representation.

Item 5 clarifies the definition of “administrator”.

Item 6 clarifies shipping notification requirements.

Any person may make written suggestions or comments on the proposed amendments on or before February 25, 2014. Written material should be directed to the Racing and Gaming Commission, 1300 Des Moines Street, Suite 100, Des Moines, Iowa 50309. Persons who wish to convey their views orally should contact the Commission office at (515)281-7352.

Also, there will be a public hearing on February 25, 2014, at 9 a.m.in the office of the Racing and Gaming Commission, 1300 Des Moines Street, Suite 100, Des Moines, Iowa. Persons may present their views at the public hearing either orally or in writing.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 99D and 99F.

The following amendments are proposed.

ITEM 1. Amend subrule **4.7** as follows:

**4.7(99D,99F) Penalties (gaming board and board of stewards).** All penalties imposed will be promptly reported to the commission and facility in writing. The board may impose one or more of the

following penalties: eject and exclude an individual from a facility; revoke a license; suspend a license

for up to ~~365 days~~ 5 years from the date of the original suspension; place a license on probation; deny a license; impose a fine of up to \$1000; or order a redistribution of a racing purse or the payment of or the withholding of a gaming payout. The board may set the dates for which the suspension must be served. The board may also suspend the license of any person currently under suspension or in bad

standing in any other state or jurisdiction by a state racing or gaming commission. If the punishment

so imposed is not sufficient, in the opinion of the board, the board shall so report to the commission.

ITEM 2. Renumber subparagraph **5.4(8)”a”(2)** as **5.4(8)”a”(3)**.

ITEM 3. Adopt the following new subparagraph **5.4(8)”a”(2)**:

**(2)** A debt transaction greater than \$3 million entered into by a licensee or licensee’s parent company assigning an obligation to a licensee, except a debt transaction previously approved in subrule 5.4(20), is subject to commission jurisdiction. The request for approval shall include:

1. The names and addresses of all parties;
2. The amount and source of funds;
3. The nature and amount of security and collateral provided;
4. The specific nature and purpose of the transactions; and
5. The term sheet or executive summary of the transaction.

ITEM 4. Rescind subparagraph **10.5(4)”a”(5)** and adopt the following new subparagraph in lieu thereof:

(5) No jockey agent shall represent more than two jockeys and one apprentice jockey at the same time except:

1. A jockey agent may represent three jockeys at a “mixed” meeting so long as no more than two of the jockeys ride the same breed.

2. A jockey agent may represent three jockeys at a race meeting exclusive of thoroughbred racing.

ITEM 5. Amend rule **491-11.1(99F)** definition of “Administrator” as follows:

“Administrator” means the administrator of the Iowa racing and gaming commission or the administrator’s designee.

ITEM 6. Rescind subrule **11.4(6)** and adopt the following **new** subrule in lieu thereof:

**11.4(6)** *Distribution, movement and disposal.*

a. Except as otherwise authorized by the administrator, written notice, submitted by facsimile or electronic mail, shall be filed with the commission when shipping, moving or disposing of gambling games or implements of gambling under the following conditions.

(1) At least five calendar days prior to arrival at a licensed facility, the licensed distributor shall provide notice.

(2) At least one day before a gambling game is removed from or disposed of by a licensed facility, the licensed facility or the owner shall provide notice. All methods of disposal for gambling games or implements of gambling are subject to administrator approval.

b. The administrator may approve licensee transfers of gambling games, or implements of gambling among subsidiaries of the licensee’s parent company.